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Box S

30 ROCKEFELLER AUSTIN
PLAZA BAKU
44TH FLOOR DALLAS
NEW YORK, NEW YORK HOUSTON
10112-0228 LONDON
212 705 5000 MOSCOW
FAX 212.705 5020 NEW YORK
WASHINGTON

2028 USPS
10/07/02
02/19/02

BAKER BOTTS LLP

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional
applications under 37 CFR 1.53(b))

PATENT

Attorney Docket No. A34001-A / 072396.0222

First Named Inventor Montelaro et al.

Express Mail Label No. **EU206386185US**

Total Pages: 83

February 19, 2002

BY EXPRESS MAIL - Label No. EU206386185US

Box: Patent Application
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Sir:

Enclosed herewith for filing is a patent application of MONTELARO et al. entitled "VIRUS DERIVED ANTIMICROBIAL PEPTIDES" which includes:

[X] Specification 40 Total Pages
 [X] Claims 9 pages
 [X] Abstract 1 page
 [X] Drawings 13 sheets
 [] formal
 [X] informal (Figs. 1-13)

[X] Combined Declaration and Power of Attorney 4 pages
 [] Newly executed (original or copy)
 [X] Copy from a prior application

[X] If a continuing application, check appropriate box:
 [] Continuation [] Divisional [X] Continuation-In-Part
 of prior application Serial No. 09/785,058 and 09/785,059.

[] Amend the specification by inserting, before the first line, the following sentence:
 "This is a [] continuation [] divisional [] continuation-in-part
 of copending application Serial No _____ filed _____, and which is hereby incorporated by
 reference in its entirety."

The entire disclosure of the prior applications is considered as being part of the disclosure of the accompanying application and are hereby incorporated by reference therein.

An Assignment of the invention to the University of Pittsburgh

is attached. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

will follow.

has been filed in the prior application and a copy is provided. 2 pages

Small Entity Status is claimed.

is/are attached.

Small Entity Statement filed in prior application. Status still proper and desired.

will follow.

Information Disclosure Statement

5 pages

PTO Form 1449

4 pages

Copies of IDS Citations.

Copies of IDS Citations are not required.

Also accompanying this patent application are:

Application Data Sheet

CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

Nucleotide and/or Amino Acid Sequence Submission and disk 5 pages

Preliminary Amendment pages

Non-Publication Request

Return Receipt Postcard

Other:

Cancel in this application original claims of the prior application before calculating the filing fee.

The filing fee has been calculated as shown below:

<u>FOR</u>	<u>(Col. 1) No. Filed</u>		<u>(Col. 2) No. Extra</u>	<u>Small Entity Rate</u>	<u>Fee</u>	<u>OR</u>	<u>Other Than A Small Entity Rate</u>	<u>Fee</u>
Basic Fee	\$740.00				\$370.00			\$0.00
Total Claims	69	-20	= 49	x 9 =	\$441.00	> 18 =		\$0.00
Ind. Claims	13	-3	= 10	x 42 =	\$420.00	> 84 =		\$0.00
Multiple Dependent Claim				+ 140 =	\$140.00	- 280 =		.00
				Total	<u>\$1371.00</u>			<u>\$0.00</u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Fee:

Enclosed

Basic filing fee \$1371.00

Recording Assignment \$40.00
[\$40.00; 37 CFR 1.21(h)]

Total Fees Enclosed \$1411.00

A check in the amount of \$1371.00 and \$40.00 to cover filing fee and recordation fee is enclosed.
 Please charge our Deposit Account No. 02-4377 in the amount of _____. Two copies of this sheet are enclosed.

Priority:

Priority of application Country United States , which is based on International Application No._____, which is claimed under 35 U.S.C. 119.
 Certified Copy of Priority Document(s) Country ___, Appln No. ___, filed ___.
 has been filed in the parent application S/N _____.
 is/are attached.
 will follow.

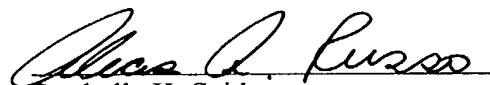
The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16, 1.17, and 1.21(h) associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

The Commissioner is conditionally authorized to charge payment of any fees associated with this application or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.


Rochelle K. Seide
Patent Office Reg. No. 32,300

Alicia A. Russo
Patent Office Reg. No. 46,192

Attorneys for Applicants
(212) 408-2500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Montelaro et al.

Filing Date: February 19, 2002

Serial No.: TBA

Group Art: TBA

Title of Invention: VIRUS DERIVED ANTIMICROBIAL PEPTIDES

SUBMISSION OF SEQUENCE LISTING AND DECLARATION

Assistant Commissioner for Patents

Washington, D.C. 20231

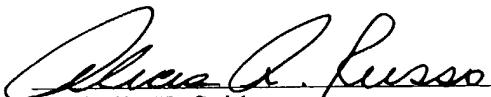
Sir or Madam:

Applicant submits herewith a Sequence Listing in paper and computer readable form for the above-identified application submitted concurrently herewith.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted herewith in accordance with 37 C.F.R. § 1.82(f), does not include new matter.

Respectfully submitted,



Rochelle K. Seide

Patent Office Reg. No. 32,300

Alicia A. Russo
Patent Office Reg. No. 46,192

Attorneys for Applicants
(212) 408-2627